

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
October 19, 2006

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of the Memorial Borough Hall on October 19, 2006 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe, Councilmen Hemphill, Kammerer, Rubin and Shanley.

Absent: Councilman Broderick.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

Bonnie Heard, Acting Borough Engineer, was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2006 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

**MOMENT OF SILENCE IN MEMORY AND HONOR OF FORMER COUNCILMAN
HARRY BARBEE, JR.:**

Former Councilman and good friend Harry Barbree, Jr. passed away suddenly on October 12, 2006. Harry was a longtime resident of Rumson, served with honor and distinction as a Borough Councilman from March 27, 1980 to December 31, 2000, and was a member of the Zoning Board of Adjustment prior to serving on the Council. Harry was a gentleman and he will be missed.

Please join me in a moment of silence.

Moment of Silence

Thank you.

**MOTION TO CHANGE THE ORDER OF BUSINESS IN ORDER TO APPROVE A
RESOLUTION TO AUTHORIZE THE SALE OF BOROUGH VEHICLES AND
EQUIPMENT NO LONGER NEEDED AT PUBLIC AUCTION AND TO HOLD THE
PUBLIC AUCTION AT THIS TIME:**

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the order of business was changed to approve a Resolution to authorize the sale of Borough vehicles and equipment no longer needed at public auction and to hold the public auction at this time. All in favor.

RESOLUTION TO AUTHORIZE THE SALE OF VEHICLES AND EQUIPMENT NO LONGER NEEDED BY THE BOROUGH:

Councilwoman DeVoe offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson has various vehicles and pieces of equipment that are no longer used by the Borough; and

WHEREAS, the Borough Administrator has requested that these vehicles and pieces of equipment be sold; and

BE IT RESOLVED that the Mayor and Council of the Borough of Rumson authorize the Borough Administrator to sell to the highest bidder the various vehicles and pieces of equipment at public auction at the regular Borough Council meeting on October 19, 2006.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

HOLD PUBLIC AUCTION TO SELL VEHICLES AND EQUIPMENT NO LONGER NEEDED BY THE BOROUGH:

Mayor Ekdahl announced that the public auction of the vehicles and DPW equipment no longer needed by the Borough would be held at this time, that all sales were final and that there were no guarantees on the vehicles and equipment.

The Borough Attorney advised that payment for any items bought at this auction must be made prior to the end of the meeting this evening and only cash or certified check was to be accepted.

The following bids were received:

Vehicles	Minimum Bid	Bids Offered	Buyer's Name/Address
Truck #38, 1994 International 4600 5 cu. yd. dump truck w/11 ft. Gledhill Plow	\$10,000	None	—

Truck #37, 1990 International 4600 w/2002 Swenson EV100 Sander mounted to rear and 11 ft. Gledhill Plow	\$10,000	None	—	
1997 Ford Crown Victoria Car w/91,700 miles	\$2,500	None	—	
1999 Ford Crown Victoria Car w/70,741 miles	\$2,500	None	—	
1999 Ford Crown Victoria Car w/94,351 miles	\$2,500	None	—	
2 – Toro Groundmaster Mowers (1 with deck/1 without deck)	None	25, 50, 100, 150, 200	Steve Remaley Oceanport	\$200 Cash
16 ft. Mirro Craft Yellow Aluminum Boat w/Sea Lion Trailer	None	25, 50, 100, 125, 150, 200, 225, 250, 300, 325, 350, 375, 400, 425, 450	Joe Shaffery Belford	\$450 Cash
2 – 12 ft. Landau Flat Bottom Boats	None	25, 100, 125, 150	William Schreiber Englishtown	\$150 Cash
20 ft. Red 2-axle Landscape Trailer	None	50, 75, 100, 125, 150, 175, 200, 225, 250, 275, 300, 325, 350, 375	William Schreiber Englishtown	\$375 Cash

It was announced that all vehicles and equipment must be removed by the purchaser within seven (7) days of this sale.

The purchasers paid for the items and received receipts from the Municipal Clerk to show to the DPW Superintendent when they pick up their purchases.

Mayor Ekdahl advised that the two trucks and three cars that were not bid on at this meeting would be brought up for sale at a future meeting and re-noticed in the newspapers, as required by law.

Mayor Ekdahl thanked all the bidders.

RETURN TO REGULAR ORDER OF BUSINESS:

On motion by Councilwoman DeVoe, seconded by Councilman Kammerer, the meeting returned to the Regular Order of Business. All in favor.

COMMUNICATIONS:

LETTER FROM BOROUGH DPW EMPLOYEE JOHN E. MORRIS RESIGNING HIS POSITION AS LABORER TO TAKE A POSITION WITH ANOTHER TOWN:

The Municipal Clerk/Administrator advised of a letter dated October 6, 2006 from Borough employee John E. Morris resigning his position as Department of Public Works Laborer effective October 27, 2007.

On motion by Councilman Kammerer, seconded by Councilman Hemphill, this communication was ordered received with regret. All in favor.

LETTER FROM THE RUMSON COUNTRY CLUB REQUESTING PERMISSION TO ALLOW THEM TO HOLD SKEET SHOOTING ON FRIDAY, OCTOBER 20, 2006 FROM NOON TO 4PM:

The Municipal Clerk/Administrator advised of a letter to the Mayor dated October 5, 2006 from Joseph Turner, General Manager of the Rumson Country Club, requesting permission for the Club to have skeet shooting on Friday, October 20, 2006, which is in addition to their usual Saturdays and Sunday from mid-October to mid-April.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, this communication was ordered received and permission granted for the Rumson Country Club to allow skeet shooting on October 20th. All in favor.

LETTER FROM RFH COMMUNITY TURF PROJECT, INC. REQUESTING PERMISSION TO HOLD AN EVENT AT BINGHAM HALL ON OCTOBER 26, 2006 BETWEEN 5:30 AND 7:30 P.M. TO BENEFIT THE BORDEN STADIUM PROJECT AT THE HIGH SCHOOL:

The Municipal Clerk/Administrator advised of a letter to the Mayor dated October 15, 2006 from James S. Wassel of RFH Community Turf Project, Inc. requesting permission to use Bingham Hall for their October 26, 2006 fundraising event. The letter stated that the event is to be catered by Merri-Makers, Inc. who will supply the appropriate insurance as required. The time of the event is between 5:30 p.m. and 7:30 p.m. with access for set up time prior to the event. The proceeds from the event will benefit the Rumson-Fair Haven Regional High School's Borden Stadium.

Councilwoman DeVoe stated her objection to allowing an event at Bingham Hall that served alcohol.

On motion by Councilman Rubin, seconded by Councilman Kammerer, this communication was ordered received and permission granted on the following roll call vote:

In the affirmative: Hemphill, Kammerer, Rubin and Shanley.

In the negative: DeVoe.

Absent: Broderick.

LETTER FROM DANIEL J. EDWARDS, PRESIDENT OF RUMSON'S VETERANS, REQUESTING PERMISSION TO HANG A VETERANS' DAY SIGN ON THE TENNIS COURT FENCE AT VICTORY PARK FOR TWO WEEKS PRIOR TO THE CEREMONY ON NOVEMBER 11TH:

The Municipal Clerk/Administrator advised of a letter dated October 6, 2006 from Daniel J. Edwards, President of the Rumson Veterans, requesting permission to hang a banner on the tennis court fence at Victory Park for the two weeks prior to their November 11th Veterans' Day Ceremony at Victory Park. In addition, they would also like to place a message on the Borough Bulletin Board at the corner of River Road and Bingham Avenue.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, this communication was ordered received and permission granted for the Veterans to hang their banner on the tennis courts at Victory Park for two weeks prior to the November 11th ceremony, as well as the message on the Borough Bulletin Board. All in favor.

**LETTER FROM THE RACE DIRECTOR OF THE RUMSON-FAIR HAVEN RUN
REQUESTING PERMISSION TO HOLD THE 15TH ANNUAL RUMSON-FAIR HAVEN
RUN ON SUNDAY, MAY 6, 2007:**

The Municipal Clerk/Administrator advised of a letter dated October 10, 2006 from Leslie Curran, Race Director of the Rumson-Fair Haven Run, requesting permission to hold the 15th Annual Rumson-Fair Haven Run on Sunday, May 6, 2007 and to hang a banner in front of the High School across Ridge Road, as well as a banner on the tennis court fence at Victory Park on West River Road, for unspecified lengths of time.

After a brief discussion, the Council agreed that the banner across Ridge Road should not be allowed because of it being a distraction in a busy traffic area near the traffic light at the corner of Bingham Avenue. Councilman Shanley stated that he felt that no banners should be allowed to be placed across Ridge Road (the Council had not allowed the Synagogue's request a few weeks ago for their banner to be placed across Ridge Road near Hance Road and that traffic light).

It was noted that last year Council permission was granted for the banner to be hung across Ridge Road for the period beginning two days prior and ending the day after the Race. It was the feeling of the Council that it should not be allowed at all this year for safety reasons.

Councilman Kammerer suggested that they could place a banner in another location other than across the road to advertise the Race.

Mayor Ekdahl added that participation in the 2006 run had been considerably less than in prior years. He felt that placing the sign across Ridge Road for a few days prior to the Race did not provide the advertising that was needed. He stated that the banner at Victory Park, along with one at another location, would better serve as advertising for the event.

It was suggested that a second banner could be hung on the tennis courts at Piping Rock Park on East River Road for two weeks and, along with the Victory Park banner, the event would have better advertisement.

Councilman Kammerer suggested that the Council approve the banner at the tennis courts at Victory Park and make the suggestion of a hanging a second banner or sign in another location with high visibility to promote the Race.

Councilman Rubin moved and Councilwoman DeVoe seconded, this communication to be ordered received and permission granted for the Rumson-Fair Haven Run to be allowed on May 6,

2007 with permission for the banner to be placed on the tennis courts at Victory Park, but permission was denied for a banner to be hung across Ridge Road on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

The Municipal Clerk/Administrator will advise the Race Director of the Council's decision and suggest placement of a banner at a second site that would better advertise the event.

LETTER FROM DIANE GIERSCHE EXPRESSING HER THANKS AND APPRECIATION FOR THE ASSISTANCE PROVIDED BY THE POLICE AND EMS SQUAD WHEN SHE INJURED HER ANKLE AND FOOT:

The Municipal Clerk/Administrator advised of a letter from Diane Giersch of 76 Navesink Avenue thanking and commending the Rumson Police and EMS Squad for their immediate response, professional demeanor and communication skills when she injured her ankle and foot on September 29th. Ms. Giersch thanked Police Lt. Scott Paterson, Ptl. Chris Isherwood, EMS Captain Jennifer Sapnar, and EMS members Diane Dupuy, Barbara Moorehead and others for assistance in her home and at Riverview Medical Center.

On motion by Councilman Kammerer, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

LETTER FROM MONMOUTH COUNTY COMMUNITY DEVELOPMENT PROGRAM ADVISING THAT DURING THE MONTHS OF OCTOBER AND NOVEMBER THEY WILL BE ADVERTISING IN LOCAL NEWSPAPERS FOR POTENTIAL CLIENTS TO APPLY FOR A DRAWING FOR HOME REPAIR ASSISTANCE THROUGH THEIR HOUSING IMPROVEMENT PROGRAM:

The Municipal Clerk/Administrator advised of a letter dated October 18, 2006 from Debbie Dovedytis, Program Analyst at Monmouth County Community Development, advising of the Monmouth County Housing Improvement Program drawing for repair assistance for 60 qualified households from Rumson and 45 other area towns. The letter also had a sheet setting forth the guidelines and advising of how to apply.

On motion by Councilwoman DeVoe, seconded by Councilman Shanley, this communication was ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

ORDINANCE AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS, SECTION 7 GENERAL ZONING PROVISIONS. PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER XXII OF THE CODE OF THE BOROUGH OF RUMSON (THE DEVELOPMENT REGULATIONS OF THE BOROUGH OF RUMSON) TO AMEND CERTAIN DEFINITIONS, BULK REQUIREMENTS, GENERAL ZONING PROVISIONS, AND DESIGN STANDARDS.

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

The Mayor afforded the members of the Council an opportunity to be heard on this ordinance in final reading and no one responded.

The Mayor afforded the public an opportunity to be heard on this ordinance in final reading and no one responded.

On motion by Councilman Kammerer, seconded by Councilwoman DeVoe, the public hearing on this ordinance was declared closed. All in favor.

Councilman Kammerer moved the adoption of this ordinance in final reading. Motion seconded by Councilwoman DeVoe and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

ORDINANCE AMENDING POLICE CHIEF'S SALARY FOR 2006. PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
"AN ORDINANCE FIXING COMPENSATION OF MEMBERS OF THE
POLICE DEPARTMENT OF THE BOROUGH OF RUMSON, NEW JERSEY."

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

The Mayor afforded the members of the Council an opportunity to be heard on this ordinance in final reading and no one responded.

The Mayor afforded the public an opportunity to be heard on this ordinance in final reading and no one responded.

On motion by Councilman Kammerer, seconded by Councilman Hemphill, the public hearing on this ordinance was declared closed. All in favor.

Councilman Kammerer moved the adoption of this ordinance in final reading. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

NEW BUSINESS:

RESOLUTION TO AUTHORIZE THE BOROUGH OF RUMSON TO APPLY FOR A GRANT FOR DETERMINATION OF FEASIBILITY OF SHARED SERVICES FOR PUBLIC SAFETY ALONG WITH THE BOROUGH OF LITTLE SILVER AND FAIR HAVEN:

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON
AUTHORIZING APPLICATION FOR A GRANT FOR DETERMINATION
OF FEASIBILITY OF SHARED SERVICES FOR PUBLIC SAFETY.**

WHEREAS, the Borough Council of the Borough of Rumson, the Borough Council of the Borough of Fair Haven and the Borough Council of the Borough of Little Silver have agreed to apply for a Sharing Available Resources Efficiently Grant (“SHARE Grant”) through the State of New Jersey SHARE Program in the amount of \$20,000.00; and

WHEREAS, the Borough of Little Silver has agreed to be the lead agency in this endeavor; and

WHEREAS, the Borough Council of the Borough of Little Silver is acknowledging and accepting the responsibility of acting as applicant for the SHARE Grant on behalf of itself, Fair Haven Borough and Rumson Borough, subject to the adoption of similar resolutions by Fair Haven Borough and Little Silver Borough; and

WHEREAS, the State of New Jersey has made SHARE Grants available to assist municipalities’ efforts to study, develop and implement new shared and regional services; and

WHEREAS, the purpose of the SHARE Grant is to promote shared services between our local units through the sharing of public safety obligations that would be beneficial to the participating Boroughs.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey, that the Borough of Rumson does hereby join with the Borough of Fair Haven and the Borough of Little Silver in applying for a SHARE Grant for the purpose of a feasibility study for sharing public safety obligations.

BE IT FURTHER RESOLVED that the Borough of Rumson agrees to provide its agreed share of the required \$2,000.00 local match in the amount of \$666.66.

BE IT FURTHER RESOLVED that this Resolution is contingent upon the following:

1. That the Borough of Fair Haven and the Borough of Little Silver shall each pass similar resolutions authorizing the foregoing and agreeing to participate as set forth herein including the payment of each Borough's \$666.66 and \$666.67 (respectively) contribution towards the cost of the study;
2. That the Borough of Rumson is not committed to undertake any feasibility study or otherwise proceed in accordance with this Resolution in the absence of receipt of the SHARE Grant that is the subject of this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

1. Borough of Fair Haven
2. Borough of Little Silver
3. Chief Richard E. Tobias
4. Martin M. Barger, Borough Attorney

The above Resolution was moved by Councilman Shanley, seconded by Councilman Kammerer and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

Mayor Ekdahl advised that the State had made a change in the required matching funds for grants from the Municipality from 50% to 10% earlier this week.

RESOLUTION TO AUTHORIZE THE BOROUGH OF RUMSON TO APPLY FOR A GRANT WITH OTHER RIVER COMMUNITIES FOR A TIDE ADVANCE NOTIFICATION SYSTEM:

Councilwoman DeVoe questioned if Councilman Rubin had been able to research this matter further as he had indicated he would at the October 12th Borough Council work meeting.

Councilman Rubin advised that this Resolution would only authorize the Borough to participate in a study at this time with the surrounding Boroughs to determine the feasibility of this Automated Flood Warning System to determine if it would be beneficial to the Borough. He stated that the study would be fully funded by a grant and that no money would be needed from any of the participating Boroughs for the study. He advised that the date of filing of the grant application was October 31, 2006 and that Borough approval would be needed at a later date if the grant was to be approved. The Borough would be able to back out of the program if we so choose.

Councilman Rubin stated that, if the Borough did not participate in the study, we would not be able to join the other towns at a later date and would miss an opportunity to have access to the Automated Flood Warning System.

Councilwoman DeVoe stated that she was concerned with system costs for required maintenance and such to be shared by the participating towns. She felt that if all the towns did not participate then Rumson's costs would be higher.

Councilman Rubin stated that he felt that the other towns were committed and that Rumson's annual costs would not be that great. He stated that the Borough just needed to advise of their interest at this time with no commitment for the future.

Councilwoman DeVoe thanked Councilman Rubin for the information and withdrew her objection.

RESOLUTION

WHEREAS, the National Weather Service has issued a request for proposal for Automated Flood Warning Systems, the objective being to reduce the loss of life and property damage in communities with flood and flash flood problems; and

WHEREAS, the program will provide 100% of grant money to institute the program in communities; and

WHEREAS, the Rumson Office of Emergency Management feels that this program would be worthwhile for the residents of the Borough of Rumson; and

WHEREAS, Long Branch, Monmouth Beach, Sea Bright, Highlands, Middletown, Oceanport, Fair Haven, Little Silver and Monmouth County, along with Rumson, will be supporting this program for the betterment of all the communities; and

WHEREAS, Oceanport has agreed to be the lead agency in the application process;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the Borough of Rumson declares its support for an application for grant funding for Automated Flood Warning Systems through the National Weather Service.

The above Resolution was moved by Councilman Shanley, seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

**RESOLUTION TO CHANGE THE 2006 BOROUGH BUDGET TO MAKE A
CORRECTION IN THE SHARE GRANT MATCH FOR POLICE DISPATCH:**

The Municipal Clerk/Administrator advised that the original April 27, 2006 Resolution approved for this grant application with Shrewsbury for the Police Dispatchers had 50% matching funds. It was noted that the grant application had been approved and the grant money awarded.

Councilman Kammerer offered the following resolution and moved its adoption:

RESOLUTION REQUESTING
CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION
PURSUANT TO NJSA 40A:4-85

WHEREAS, NJSA 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of NJSA 40A:4-85, the Borough of Rumson hereby requests the Director of the Division of Local Government Services to make the following correction in the 2006 budget:

Adopted 2006 Municipal Budget:

<u>Title</u>	<u>Appropriation</u>
Matching for Grants	\$3,000.00

Correction through this Resolution:

<u>Title</u>	<u>Appropriation</u>
Matching for Grants	\$2,000.00
SHARE Grant Match – Police Dispatch	\$1,000.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Borough of Rumson for the reasons set forth:

The Borough of Rumson adopted a resolution on April 27, 2006 joining the Borough of Shrewsbury in applying for a SHARE grant for the purpose of a feasibility study for sharing of Police Dispatchers. The Borough of Shrewsbury is the lead agency for this study, which also includes the Boroughs of Little Silver and Fair Haven. Shrewsbury was notified of a grant award in the amount of \$4,000. As the lead agency Shrewsbury has determined the local match to be \$1,000 for each of the four municipalities participating in the study. This resolution will reallocate \$1,000 from the appropriation Matching for Grants to SHARE Grant Match – Police Dispatch.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

CONSENT AGENDA:

RESOLUTION TO AUTHORIZE THE REFUND OF A DEMOLITION CASH BOND FOR MARTIN AND DEBORAH MCCANN OF 117 RIDGE ROAD:

RESOLUTION

WHEREAS, Martin & Deborah McCann posted a \$22,000.00 cash bond for demolition of a house at 117 Ridge Road; and

WHEREAS, Paul E. Reinhold, Jr., Borough Construction Official has confirmed that the house has been demolished and therefore approves the refund of the \$22,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Martin & Deborah McCann be issued a refund of the \$22,000.00 cash bond plus statutory interest; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF THE STREET OPENING BOND FOR PERMIT NUMBER 85/06 FOR SR WHELAN DEVELOPMENT CORP.:

RESOLUTION

WHEREAS, S.R. WHELAN DEVELOPMENT CORP. paid the required \$1,000.00 deposit plus the \$100.00 application fee for Street Opening Permit Number 85/06; and

WHEREAS, Mark Wellner, Rumson Borough Superintendent of Public Works, has inspected the project and found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that S.R. WHELAN DEVELOPMENT CORP. be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF THE STREET OPENING BOND FOR PERMIT NUMBER 86/06 FOR SR WHELAN DEVELOPMENT CORP.:

RESOLUTION

WHEREAS, S.R. WHELAN DEVELOPMENT CORP. paid the required \$1,000.00 deposit plus the \$100.00 application fee for Street Opening Permit Number 86/06; and

WHEREAS, Mark Wellner, Rumson Borough Superintendent of Public Works, has inspected the project and found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that S.R. WHELAN DEVELOPMENT CORP. be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF THE STREET OPENING BOND FOR PERMIT NUMBER 134/06 FOR PAULINE DRAZIN:

RESOLUTION

WHEREAS, Pauline Drazin paid the required \$1,000.00 deposit plus the \$123.00 application fee for Street Opening Permit Number 134/06; and

WHEREAS, Mark Wellner, Rumson Borough Superintendent of Public Works, has inspected the project and found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Pauline Drazin be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT FOR 28 WARREN STREET, BLOCK 137, LOT 7:

RESOLUTION REFUNDING TAX OVERPAYMENT ON BLOCK 137 LOT 7

WHEREAS, the 2006 taxes for the property located at 28 Warren Street, known as Block 137, Lot 7 were overpaid by the taxpayer, Salvatore and Lisa Taddeo; and

WHEREAS, the taxpayer, Salvatore and Lisa Taddeo, has requested a refund of their tax overpayment in the amount of \$3,076.09;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the 2006 tax overpayment, in the amount of \$3,076.09 be refunded to Salvatore and Lisa Taddeo, 28 Warren Street, Rumson, NJ 07760; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector and the Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF TAX OVERPAYMENT DUE TO A TAX APPEAL COURT JUDGMENT FOR BLOCK 128, LOT 11:

**RESOLUTION TO AUTHORIZE THE REFUND OF A PROPERTY TAX
OVERPAYMENT DUE TO A TAX APPEAL COURT JUDGMENT**

WHEREAS, a State Tax Court Judgment has been favorably awarded to William Basri et al, Block 128, Lot 11, for the fiscal years 2003 thru 2006; and,

WHEREAS, such judgment has resulted in an overpayment of 2006 property taxes in the amount of \$9,305.98;

NOW, THEREFORE, BE RESOLVED, that the Mayor and Council of the Borough of Rumson, County of Monmouth, State of New Jersey, hereby authorize the Tax Collector to issue a check in the amount of \$9,305.98 for said overpayment of property taxes to Wolf Block and William Basri, 101 Eisenhower Parkway, Roseland, New Jersey 07068.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector and Chief Financial Officer.

RESOLUTION TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT DUE TO A TAX APPEAL COURT JUDGMENT FOR BLOCK 119, LOT 8:

**RESOLUTION TO AUTHORIZE THE REFUND OF A PROPERTY TAX
OVERPAYMENT DUE TO A TAX APPEAL COURT JUDGMENT**

WHEREAS, a State Tax Court Judgment has been favorably awarded to Steven E. Breitman, Block 119, Lot 8, for the fiscal year 2006; and,

WHEREAS, such judgment has resulted in an overpayment of 2006 property taxes in the amount of \$753.13;

NOW, THEREFORE, BE RESOLVED, that the Mayor and Council of the Borough of Rumson, County of Monmouth, State of New Jersey, hereby authorize the Tax Collector to issue a check in the amount of \$753.13 for said overpayment of property taxes to Wolf Block and Steven E. Breitman, 101 Eisenhower Parkway, Roseland, New Jersey 07068.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector and Chief Financial Officer.

The above seven (7) Resolutions on the Consent Agenda were moved for adoption by Councilman Kammerer, seconded by Councilman Rubin, and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

ANNOUNCEMENT BY THE MAYOR:

Mayor Ekdahl made the following Announcement:

The Borough's Halloween Curfew Ordinance is in effect again this year. The curfew is 6:00 p.m. on Monday, October 30th and 8:00 p.m. on Halloween, Tuesday, October 31st.

Anyone under the age of 18 not accompanied by his or her parent or legal guardian after those hours on those two nights will be in violation of the curfew ordinance and subject to a fine. This ordinance was enacted many years ago because of the vandalism problem experienced on those two nights in years prior to its adoption.

Thank you for your cooperation.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and the following individual responded:

Former Sea Bright Councilman Andrew Mencinsky of 754 Ocean Avenue Sea Bright stated that, in keeping with Governor Corzine's intent to have New Jersey towns join in Shared Services, he would like to see the Borough of Rumson take over the Borough of Sea Bright to become one community under one governing body. He stated that Rumson's tax ratables would increase by \$500,000 annually, which would more than cover the extra expense incurred for all services needed for the Sea Bright Police, Department of Public Works, School System, the public buildings and facilities, etc., to be taken over by the Borough of Rumson. He stated that there were only 25 students that would need to attend Rumson schools and that Sea Bright would have many additions of housing units to help accommodate Rumson's Affordable Housing requirements. Mr. Mencinsky thanked the Mayor and Council for their time and left a letter for them to review and consider his proposal.

Mayor Ekdahl thanked Mr. Mencinsky for his comments.

FINANCIAL OFFICER'S REPORT:

The Financial Officer's Report disclosed the following cash on hand in the Current Fund Account as of October 19, 2006:

Wachovia Bank		
Balance:	10/05/06	\$ 4,188,861.86
Cash Receipts:		\$ 569,599.50
Void Check		\$ 0.00
Pre-Paid Items:		\$ (460.28)
Bills & Claims:	10/19/06	\$ (104,830.86)

Payroll:	10/15/06	\$ (186,623.28)
Wachovia Bank Balance:		<u>\$ 4,466,546.94</u>
Certificate of Deposits:		\$ 7,000,000.00
Money Market Funds:		\$ 0.00
Total Current Fund:		\$11,466,546.94

On motion of Councilman Rubin, seconded by Councilman Shanley, the Financial Officer's Report was ordered received and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Kammerer offered the following resolution and moved its adoption:

\$	65.00	Monmouth County SPCA
\$	13.80	NJ State Dept of Health
\$	184.11	Red Bank Veterinary Hospital
\$	262.91	Animal Control Account
\$	1,255.50	AR Communications
\$	2,424.19	Stavola Asphalt Co Inc
\$	160.00	WH Potter & Son Inc
\$	3,839.69	Capital Account
\$	460.28	Verizon
\$	366.52	Action Office Supplies
\$	11,483.12	Allied Oil Company
\$	171.00	Americanwear Indust Uniforms
\$	90.40	American Messaging
\$	75.00	ANJR
\$	922.00	AR Communications
\$	571.64	Asbury Park Press
\$	69.95	Avaya Inc
\$	708.80	Builders General Supply Co
\$	34.00	Certified Speedometer Service
\$	519.00	Coast Cities Equipment Sales
\$	70.40	Coffee Man Co Inc
\$	232.85	Continental Fire & Safety Inc
\$	2,828.00	Copy Dynamics Inc
\$	2,955.64	Custom Tire Associates
\$	263.53	Electronic Lab

\$	1,596.00	Fibar Systems
\$	331.50	EM Grant
\$	900.00	Harter Equipment
\$	688.00	Hewlett Packard USA
\$	405.97	Home Depot Commercial Credit
\$	99.00	Institute for Professional Dev
\$	623.52	Int'l Trucks of Central Jersey
\$	92.55	Kepwell Natural Spring Water
\$	12.95	Lanigan Associates Inc
\$	227.63	Lawson Products Inc
\$	4,844.88	Lesco Inc
\$	80.44	Mazza and Sons Recycling
\$	980.67	Martin & Deborah McCann
\$	29,115.00	Mickey Benoit Inc
\$	296.00	Middletown Fire & Safety Inc
\$	360.10	Midlantic International
\$	53.43	Sharon Modica
\$	12,813.30	Treasurer County of Monmouth
\$	79.73	Mr Drive Shaft
\$	318.71	Naylor's Inc
\$	40.00	Ned Sickles Overhead Doors
\$	299.00	Neopost Inc
\$	133.10	One Call Systems
\$	86.90	Hydrair Inc
\$	270.00	Quality Electrical Const Co
\$	75.45	R & R Radar Inc
\$	5,805.00	Reusille Mausner Carotenuto
\$	1,953.00	Roll N Rack
\$	243.00	Root X
\$	30.50	Seaboard Welding Supply Inc
\$	86.00	Sherwin-Williams Co
\$	675.00	State Shorthand Reporting Serv
\$	905.06	Stavola Asphalt Co Inc
\$	136.22	Storr Tractor
\$	3,187.78	T & M Associates
\$	3,076.09	Salvatore & Lisa Taddeo
\$	59.60	The Image Shop Inc
\$	178.00	Treasurer State of NJ
\$	250.00	Treasurer State of NJ
\$	101.84	The Two River Times
\$	1,500.00	United States Postage Service
\$	753.13	Wolf Block & Steven E Breitman
\$	187.24	George Wall Lincoln-Mercury
\$	17.35	Warshauer Electrical Supply Co
\$	39.76	WH Potter & Son Inc
\$	9,305.98	Wolf Block and William Basri
\$	39.13	Zee Medical Inc
\$	115.50	ZEP Manufacturing Company

\$	105,291.14	Current Fund
\$	3,565.50	Athlete's Alley
\$	124.58	Commerce Insurance Center
\$	140.00	Anthony Fahoury
\$	99.17	John Hird
\$	350.00	Michael Jackson
\$	204.00	New York Red Bull
\$	1,350.00	Racquet Shop
\$	325.00	Rutgers/Youth Sports Council
\$	431.12	Sherwin-Williams Co
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\$	6,589.37	Recreation Account
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\$	1,000.00	Pauline Drazin
\$	22,000.00	Martin & Deborah McCann
\$	2,000.000	Whelan Development Corp
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\$	25,000.00	Trust Account
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\$	30.50	Current Fund Appropriations
\$	105,260.64	Current Fund Appropriations
\$	262.91	Animal Control Fund Expenses
\$	3,839.69	Capital Fund Disbursements
\$	6,589.37	Recreation Disbursements
\$	25,000.00	Trust Fund – Other Expenses
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\$	140,983.11	Total Of All Funds

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: Broderick.

ADJOURNMENT:

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 8:10 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator